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Attorneys for Defendants
 URBANISM, INC.;
 STEPHANIE LAMONS

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

WILLIAMS-SONOMA, INC., a California
 corporation,

Plaintiff,

v.

COCOON FURNISHINGS, INC., a California
 corporation; STEPHANIE LAMONS,
 individually and doing business as
 URBANISM, INC., a California corporation.

Defendants.

Case No. C-07-04017 JSW

**JOINT STIPULATION AND [PROPOSED]
 ORDER CONTINUING DEADLINES FOR
 CLOSE OF DISCOVERY AND EXPERT
 DISCLOSURE**

The parties previously stipulated to continue certain dates in the Court's Scheduling Order due to difficulties in scheduling mediation. Since that time, settlement negotiations have progressed to the point where plaintiff has submitted a settlement demand that defendants consider reasonable and is therefore likely to settle the case.

1 An issue of potential insurance coverage recently arose. Defendants previously tendered this
2 matter to one of their insurers, which denied their claim for coverage at least in part on the grounds
3 that the policy did not cover the relevant time period. Based on that denial, defendants recently
4 tendered to a different insurer that provided coverage for what defendants believe is the correct time
5 period. The insurer has not yet responded to the recent tender.

6 Defendants risk vitiating their potential coverage if they accept plaintiff's settlement proposal
7 before the coverage issue is resolved. It is defendants' understanding that if they accept plaintiff's
8 settlement proposal before the insurer makes a coverage decision, that acceptance might vitiate
9 coverage based on "voluntary payments" or "cooperation" provisions of the policy, regardless of
10 whether the policy would have otherwise provided coverage for this claim. Defendants' coverage
11 counsel is in discussions with the insurer to seek the insurer's agreement to consent to the settlement,
12 waive the "voluntary payments" or "cooperation" provisions of the policy with regard to a settlement
13 or at least expedite the insurer's coverage determination.

14 The parties wish to avoid incurring attorneys fees and costs that would be rendered
15 unnecessary with a settlement. Defendants need a short continuance so they can obtain the insurer's
16 response to the issues identified herein without taking any action that might vitiate that coverage.
17 Accordingly, the parties respectfully seek a further continuance of certain deadlines in the Court's
18 Scheduling Order.

19 The close of fact discovery is currently September 30, 2008. The parties hereby stipulate to
20 continue that deadline to October 30, 2008.

21 Expert disclosure is currently September 18, 2008, rebuttal disclosure is October 1, 2008 and
22 the close of expert discovery is November 20, 2008. The parties hereby stipulate to continue expert
23 disclosure to October 17, 2008, rebuttal disclosure to October 31, 2008 and the close of expert
24 discovery to November 26, 2008.

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1 The parties do not anticipate the need to continue any other Court dates in the Scheduling
2 Order to accommodate resolution of the issues discussed herein, including the Case Management
3 Conference currently set for October 31, 2008.

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5 DATED: August 28, 2008

Respectfully submitted,

TOWNSEND AND TOWNSEND AND CREW LLP

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8 By: /s/ Veronica Besmer

VERONICA BESMER

GREGORY S. GILCHRIST

Attorneys for Plaintiff

WILLIAMS-SONOMA, INC.

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11 DATED: August 28, 2008

12 By: /s/ John H. Mitchell

JOHN H. MITCHELL

Attorney for Defendants

STEPHANIE LAMONS AND URBANISM, INC.

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20 **GENERAL ORDER 45 ATTESTATION**

21 I, Veronica Besmer, am the ECF user whose ID and password are being used to file this
22 **JOINT STIPULATION AND [PROPOSED] ORDER CONTINUING DEADLINES FOR**
23 **CLOSE OF DISCOVERY AND EXPERT DISCLOSURES.** In compliance with General Order
24 45, X.B., I hereby attest that John H. Mitchell has concurred in this filing.

25
26 /s/ Veronica Besmer

ORDER

GOOD CAUSE APPEARING THEREFORE, the Scheduling Order is hereby revised such that the close of fact discovery is continued to October 30, 2008, expert disclosure is continued to October 17, 2008, rebuttal disclosure is continued to October 31, 2008 and the close of expert discovery is continued to November 26, 2008.

Dated: August 29, 2008



Judge of the U.S. District Court